

SAN JOSE APPEALS HEARING BOARD MINUTES
THURSDAY, OCTOBER 13, 2016
6:30 P.M. COUNCIL CHAMBERS

1. The meeting of the San Jose Appeals Hearing Board convened this date at 6:30 p.m., Council Chambers, City Hall, with the following members in attendance: Chair David Parker, Commissioners Rajwant Bains, Ron Cabanayan, Timothy Kenny, Karen Parsons and Robyn Shearin. Commissioner Andrew Ditlevsen was absent.

Staff Present: Karla Caceres, Appeals Hearing Board Secretary
Joseph Hatfield, Code Enforcement Acting Supervisor
Rachel Roberts, Division Manager
Rosa Tsongtaatarii, Senior Deputy City Attorney
Steven Kelly, Code Enforcement Inspector

2. **Approval of Minutes**

Commissioner Parsons made the motion, seconded by Commissioner Kenny to approve the minutes of September 22, 2016.

AYES: Kenny, Parker, Parsons and Shearin
NAYS:
ABSTAIN: Cabanayan Bains
ABSENT: Ditlevsen

3. **Requests for Deferrals and/or Continuance**

4. **Public Hearings Consent Calendar**

5. **Deferred and/or Continued Items**

6. **Public Hearings**

- a. **3878 BUCKNALL ROAD (404-10-008) SUMMARY ABATEMENT/ CONDEMNATION**
(Steven Kelly, Inspector / Thomas E. McEnroe and Kathryn A. McEnroe, Trustees of the McEnroe Family Trust, Property Owner)

Code Enforcement Inspector Steven Kelly provided a summary of the case at the subject property. Inspector Kelly stated that the property had been boarded four (4) times prior to the hearing to secure the property from entry. However, the property owner and female resident continue to enter the property at night.

There was a motion by Commissioner Parsons, seconded by Commissioner Kenny, to order as follows:

Motion to uphold Staff's recommendation and adopt a resolution to condemn and restrict from occupancy the single family residence located at 3878 Bucknall Road. The condemnation of the residence will continue until the property owner completes the following: (1) Provides written documentation from a licensed exterminator that the rat and cockroach infestation has been eliminated from the property, (2) Repairs the kitchen sink to operability as required by the San Jose Municipal Code, (3) Removes animal urine located throughout the residence and (4) Repairs the inadequate fire protection where rats have chewed through the fire separation drywall between the garage and living areas of the house and (5) Calls Inspector Steven Kelly (408) 535-7770 or email steven.kelly@sanjoseca.gov to schedule a compliance inspection.

AYES: Bains, Cabanayan, Kenny, Parker, Parsons and Shearin

NAYS:

ABSENT Ditlevsen

7. **Request for Excused Absence**
8. **Other Business**
9. **Open Forum - Oral Communication from the Public**
10. **Adjournment**

There was a motion by Commissioner Parsons, seconded by Commissioner Bains to adjourn the meeting. Chair Parker adjourned the meeting at 6:36 p.m. The next regular meeting will be held October 27, 2016 at 6:30 p.m. in the City Hall Council Chambers.